REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present Amendment is being made to facilitate prosecution of the application.

I.   STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-3, 5-25 are pending in this application. Claims 1, 2, 5, 6 and 12-21, which are independent, are hereby amended. Claims 22-25 are new. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. Support for this amendment is provided throughout the Specification as originally filed. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II.   REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,181,870 to Okada, et al. in view of U.S. Patent No. 6,208,805 to Abecassis.

Claim 1 recites, *inter alia*:

> "...encoding means for encoding video data and audio data
> in a group structure of a plurality of frames by performing
> a compression-encoding process which is a combination of
> an inter-frame predictive encoding process and a motion
> compensative process;

transforming means for transforming the data structure of
encoded video data that is output from said encoding means
into a file structure; and

recording means for recording said transformed encoded
video data to a record medium,

wherein said <u>transforming means transforms the data
structure of said encoded video data into said file structure
which contains a first data unit which corresponds to a
predetermined number of frames of said encoded video</u>
data outputted from said encoding means, and a second
data unit which consists of a plurality of said first data
units, and

wherein said <u>recording means records said transformed
encoded video data so that the encoded video data of said
second data unit is recorded on a successive location of said
record medium, that is separate from the location on which
the audio data is recorded</u>." (emphasis added)

As understood by Applicants, U.S. Patent No. 6,181,870 to Okada, et al.

(hereinafter, merely "Okada") relates to an optical disc having an area for storing original and

user chain information specifying at least part of a video object stored on the disc, and a

computer program and recording apparatus for recording and editing the chain information.

As understood by Applicants, U.S. Patent No. 6,208,805 to Abecassis

(hereinafter, merely "Abecassis") relates to inhibiting a control function from interfering with a

playing of a video.

Applicants note that the Office Action states that Okada discloses that "the

eincoded video data of the second data unit is recorded on a successive location of said record

medium", shown as Fig. 89a. The Office Action further states that Fig. 89a shows a first data

structure corresponding to a predetermined number of frames and a second data unit that is

matched as seen in Fig. 89a CELL7A.

Applicants respectfully disagree. Applicants submit that Okada discloses that the video data and the audio data are multiplexed in VOBU unit as seen in Fig. 6A. The CELL consists of a plurality of the VOBU units. Therefore, in CELL7A, the video data and the audio data are multiplexed and the video data of CELL7A is not recorded on a successive location of the recording medium.

Applicants submit that in the present application, encoded video data of the second data unit (Video Chunk) is recorded on a successive location of a record medium as shown in Fig. 8 and Fig. 9. That is, the encoded video data of the Video Chunk is recorded on the successive location which is separate and independent from the audio data recorded area (Audio Chunk).

Applicants submit that nothing has been found in Okada or Abecassis, taken alone or in combination, that would disclose or suggest the above-identified features of claim 1. Specifically, Applicants submit that Okada and Abecassis fail to teach or suggest encoding means for encoding video data and audio data in a group structure of a plurality of frames by performing a compression-encoding process which is a combination of an inter-frame predictive encoding process and a motion compensative process, transforming means for transforming the data structure of encoded video data that is output from said encoding means into a file structure, and recording means for recording said transformed encoded video data to a record medium, wherein said transforming means transforms the data structure of said encoded video data into said file structure which contains a first data unit which corresponds to a predetermined number of frames of said encoded video data outputted from said encoding means, and a second data unit which consists of a plurality of said first data units, and wherein said recording means records said transformed encoded video data so that the encoded video data of said second data unit is

recorded on a successive location of said record medium, separately from the location on which

the audio data is recorded, as recited in independent claim 1.

Claim 2 is believed to be patentable for a similar reason. Claim 5 recites, *inter*

alia:

"...video encoding means for encoding video data in a
group structure of a plurality of frames by performing a
compression-encoding process which is a combination of
an inter-frame predictive encoding process and a motion
compensative process;

audio output means for outputting compression-encoded or
non-compressed audio data;

means for transforming the data structure of encoded video
data that is output from said video encoding means and
audio data that is output from said audio output means into
a file structure and multiplexing the encoded video data and
the audio data having the file structure; and

recording means for recording the transformed encoded
video data and audio data multiplexed data to a record
medium,

wherein said transforming means transforms the data
structure of said encoded video data and audio data into
said file structure which contains a first video data unit
which corresponds to a predetermined number of frames of
said encoded video data outputted from said encoding
means, a first audio data unit which corresponds to a
predetermined size of said audio data, and a second video
data unit which consists of a plurality of said first video
data units, and second audio data unit which consists of a
plurality of said first audio data units,

wherein said recording means records said transformed
encoded video data and said audio data to said record
medium so that said second video data unit and said second
audio data unit are the encoded video data of said second
data unit is recorded on a different successive location of
said record medium respectively."(emphasis added)

Applicants submit that nothing has been found in Okada or Abecassis, taken alone or in combination, that would disclose or suggest the above-identified features of claim 5. Specifically, Applicants submit that Okada and Abecassis fail to teach or suggest video encoding means for encoding video data in a group structure of a plurality of frames by performing a compression-encoding process which is a combination of an inter-frame predictive encoding process and a motion compensative process, audio output means for outputting compression-encoded or non-compressed audio data, means for transforming the data structure of encoded video data that is output from said video encoding means and audio data that is output from said audio output means into a file structure and multiplexing the encoded video data and the audio data having the file structure, and recording means for recording the transformed encoded video data and audio data multiplexed data to a record medium,wherein said transforming means transforms the data structure of said encoded video data and audio data into said file structure which contains a first video data unit which corresponds to a predetermined number of frames of said encoded video data outputted from said encoding means, a first audio data unit which corresponds to a predetermined size of said audio data, and a second video data unit which consists of a plurality of said first video data units, and second audio data unit which consists of a plurality of said first audio data units wherein said recording means records said transformed encoded video data and said audio data to said record medium so that said second video data unit and said second audio data unit are the encoded video data of said second data unit is recorded on a different successive location of said record medium respectively, as recited in claim 5.

For reason similar, or somewhat similar, to those described above, independent claims 6 and 12-21 are also believed to be patentable.

III.   DEPENDENT CLAIMS

The other claims in this application are each dependent on a dependent claim discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.
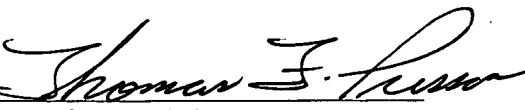
CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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